

STATE WATER RESOURCES CONTROL BOARD

ORDER NO. WQ 77- 15

ORDER REQUIRING THE CITY OF PITTSBURG
TO CEASE AND DESIST FROM DISCHARGING
WASTES CONTRARY TO REQUIREMENTS PRE-
SCRIBED BY THE STATE WATER RESOURCES
CONTROL BOARD

BY VICE CHAIRMAN MAUGHAN:

1. On April 6, 1977, this Board adopted Order No. WQ 77-7, pertaining to the waste discharge of the City of Pittsburg, and modification of NPDES Permit No. CA0037761, prescribing waste discharge requirements for the waste discharge of the City of Pittsburg, Camp Stoneman Plant.

2. State Board Order No. WQ 77-7 provides, in part, as follows:

"May 1, 1977 -Submit analysis of alternate methods of financing and apply for Step 2 grant."

"June 13, 1977 -Demonstrate the availability of local financing for construction of facilities to meet requirements."

"...Each of the dischargers shall be required to comply with the May 1, 1977, and the June 13, 1977, dates and requirements as set forth in the above time schedule for the implementation of secondary treatment, and shall be required to provide a report of said compliance to the State Board, which shall be received by the State Board on or before the specified dates. Failure to meet these two intermediate dates will jeopardize compliance [sic] with the final date in the schedule and will constitute cause for the initiation of enforcement action by the State Board."

(State Board Order No. WQ 77-7, pages 11 and 12.)

3. The Board received a letter dated May 5, 1977, signed by Robert M. Jackson, for Jack Port, Assistant Public Works Director, Environmental Control, Contra Costa County, listing two alternative methods of financing the East/Central Contra Costa County Subregional Wastewater Management System, the proposed method of compliance with secondary treatment requirements prescribed in accordance with the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500).

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4. By a letter dated May 20, 1977, from Bill B. Dendy, the City of Pittsburg was informed that the letter described in Finding 3 above was not adequate for compliance with the May 1, 1977, requirement of State Board Order No. 77-7, set forth in Finding 2 above, and was requested to submit supplemental information immediately.
5. The City of Pittsburg has failed to comply with the requirements set forth in Finding 2 above.
6. NPDES Permit No. CA0037761, as modified, provides, in part, as follows:
 - "D. Provisions.
 2. This discharger shall comply with the following time schedule to insure compliance with the specifications of this Order:
 - a. Compliance with effluent limitations A. 1.a, b, c, e, f, A. 4., A 6., B. 1, a and c., and C. 1., must be achieved within two months after the scheduled completion date of the proposed sub-regional secondary treatment plant."
7. Investigation by Board staff has indicated that the discharger is threatening to violate provisions D. 2.a., of NPDES Permit No. CA0037761, as modified.
8. On June 14, 1977, commencing at 10:00 a.m., in Sacramento, California, after due notice to the discharger, and all other affected persons, Mr. Maughan, Vice-Chairman of the State Board, conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
9. The discharger is violating the requirements listed in Finding 2 above.
10. The discharger is threatening to violate the requirements listed in Finding 6 above.

11. Immediate action for the planning and construction of facilities to achieve compliance with waste discharge requirements is urgently necessary for the implementation of Part 1 of the Water Quality Control Plan for the San Francisco Bay Basin and for the implementation of Part I of the Water Quality Control Plan for the Sacramento-San Joaquin Delta and to prevent water pollution.
12. This enforcement action is being taken for the protection of the environment, generally, and to prevent further impairment of the quality of the waters of the State from the discharge of wastes thereto, specifically, and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15108, Chapter 3, Title 14, California Administrative Code.

IT IS HEREBY ORDERED THAT:

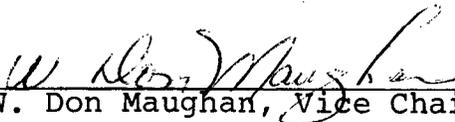
(1) The City of Pittsburg cease and desist from violating or threatening to violate State Board Order No. 77-7 and NPDES Permit No. CA0037761.

(2) Compliance with the Board's discharge requirements be completed according to the following schedule:

January 1, 1978	-50 percent completion of plans and specifications
May 1, 1978	-Submit complete constructions plans and specifications
November 1, 1978	-Award construction contract
July 1, 1979	-Status report
February 1, 1980	-Status report
October 1, 1980	-Status report
March 1, 1981	-Complete construction
May 1, 1981	-Full compliance with all final effluent limitations

- (3) The City of Pittsburg is required to provide to the Board by July 15, 1977, August 1, 1977, August 15, 1977, and monthly thereafter, reports, under penalty of perjury, describing progress toward compliance with waste discharge requirements and the requirements of this order including progress toward the development of the financial capability to meet requirements.

Dated: JUN 16 1977

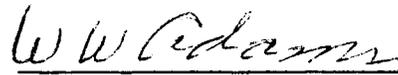


W. Don Maughan, Vice Chairman

WE CONCUR:



John E. Bryson, Chairman



W. W. Adams, Member



Jean Auer, Member

IT IS, THEREFORE, ORDERED that the petition for review of Order No. 75-105 and 75-177 is denied insofar as it concerns the Regional Board's obligation to make detailed findings regarding water quality matters where a permit implements the relevant Basin Plan and insofar as it concerns the Regional Board's obligation to reexamine the matters referred to in Water Code 13241 at the time of adoption of a permit, and that a hearing be scheduled to consider factual issues and legal arguments in conformity with the Findings and Contentions contained in this Order.

Dated: July 21, 1977

/s/John E. Bryson, Chairman
John E. Bryson, Chairman

/s/W. Don Maughan, Vice Chairman
W. Don Maughan, Vice Chairman

/s/W. W. Adams, Member
W. W. Adams, Member